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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MONET ELIASTAM, ALEXANDER
VAINER, AND RHEANNA BEHUNIAK, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

NBCUNIVERSAL MEDIA, LLC,

Defendant.

**Civil Action No.: 1:13-cv-04634-RMB
(RLE)**

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT CLASS,
APPOINTMENT OF PLAINTIFFS' COUNSEL AS CLASS COUNSEL, AND
APPROVAL OF PLAINTIFFS' PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of the Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiffs' Counsel as Class Counsel, and Approval of the Proposed Notice Regarding Pendency of Class Action ("Motion for Preliminary Approval") and in the Declaration of Justin M. Swartz in Support of Plaintiffs' Motion for Preliminary Approval ("Swartz Declaration"), Plaintiffs respectfully request that the Court enter an Order:

- (1) granting preliminary approval of the Stipulation and Settlement Agreement ("Settlement Agreement"), attached as Exhibit A to the Swartz Declaration;

(2) conditionally certifying the following settlement subclasses under Fed. R. Civ. P. 23(a) and (b)(3) for purposes of effectuating the settlement:

- a. New York Sub-Class: The “New York Sub-Class” consists of all individuals participated in Unpaid Internships with Defendant in New York at any time since July 3, 2007 through the Preliminary Approval Date; and
- b. California Sub-Class: The “California Sub-Class” consists of all individuals who participated in Unpaid Internships with Defendant in California at any time since February 4, 2010 through the Preliminary Approval Date; and
- c. Connecticut Sub-Class: The “Connecticut Sub-Class” consists of all individuals who participated in Unpaid Internships with Defendant in Connecticut at any time since February 4, 2011 through the Preliminary Approval Date;

(3) conditionally certifying a FLSA collective pursuant to 29 U.S.C. § 216(b);

(4) appointing Outten & Golden LLP as Class Counsel;

(5) approving the Proposed Notice Regarding Pendency of Class Action, attached as Exhibit B to the Swartz Declaration;

(6) approving the Parties’ proposed schedule for final settlement approval; and

(7) granting such other, further, or different relief as the Court deems just and proper.

* * *

Plaintiffs have contemporaneously submitted a Proposed Order, attached hereto as **Exhibit A**, for the Court's convenience.

Dated: October 22, 2014
New York, New York

Respectfully submitted,
OUTTEN & GOLDEN LLP

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